

REMARKS

The Office Action of November 19, 2009, has been carefully reviewed and these remarks are responsive thereto. Claims 1 and 28 have been amended in the present paper. No new matter has been added. Claims 1, 4-20, 22-28 and 32 remain pending in this application. Reconsideration, entry of the amendments and allowance of the instant application are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1, 4-13, 15-20, 22-28, and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. Pub. No. 2003/0210440, hereinafter Hiroyasu. Applicants traverse.

Amended independent claim 1 recites, *inter alia*,

A handheld electronic device hinge for mechanically connecting first and second rotatable body members of a handheld electronic device, said hinge comprising a first bracket and a second bracket, wherein said first bracket comprises: a first connecting member for connecting to the first rotatable body member of the handheld electronic device for rotation around a first axis; and a second connecting member connected to the second bracket for rotation of said second bracket around a second axis, said first and second axes being spaced apart and parallel to each other.

As discussed at pages 7-8 of Applicants' Amendment filed July 6, 2009, Hiroyasu generally describes an information processing device that has two rotational axes which are perpendicular to each other. *See, e.g.*, Figure 6 (11-6 and 12-1); paragraph [0049]. Hiroyasu fails to describe first and second axes being spaced apart and parallel to each other as recited in claim 1.

The Office Action at pages 2-3 ("Response to Arguments") acknowledges Applicants' remarks, and contends that another (second) axis exists parallel and spaced apart from axis 12-1 (the alleged first axis) located within the hole of an arm of supporting member 73 such that the display section 11 rotates about those axes simultaneously. Applicants disagree. Indeed, Hiroyasu at paragraphs [0068]-[0069] and Figure 5 describes that hinge section 12 has a pair of supporting members 73 and 75 for supporting display section 11 and body section 13 such that the display section 11 is pivoted around axis 12-1 for opening and closing movement with

respect to body section 13. Thus, contrary to the contentions of the Office Action, there is no second axis in Hiroyasu with respect to supporting member 73 that is parallel and separate from axis 12-1. In Hiroyasu, the opening and closing movements with respect to display section 11 and body section 13 are conducted with respect to the single axis 12-1. Hiroyasu at paragraphs [0068]-[0069] and Figure 5. Claim 1 is distinguishable from Hiroyasu for at least the foregoing reasons.

Additionally, claim 1 recites,

wherein said first bracket further comprises a fourth connecting member for connecting to a third body member of the handheld electronic device, and

wherein the third body member is rotatable and the fourth connecting member is for connecting to the third body member of the handheld electronic device for rotation around a fourth axis, said fourth axis being perpendicular to said first and second axes.

As discussed above, Hiroyasu describes two rotational axes (11-6 and 12-1) which are perpendicular to each other. Axis 11-6 provides for connection and rotation of display section 11 (e.g., *the alleged second body member*) as shown in Figure 6 of Hiroyasu. Conversely, claim 1 recites features related to a fourth body member for connecting to a *third body member* of the handheld electronic device *for rotation around a fourth axis perpendicular to the first and second axes*. Claim 1 is further distinguishable from Hiroyasu for at least these additional reasons.

Furthermore, claim 1 has been amended to also recite “wherein said first, second, and third rotatable body members are configured to rotate around said first, third and fourth axes, respectively, independent of one another.” As indicated in the Office Action at page 3, the disclosure provided in the instant application is distinguishable from Hiroyasu in that the rotating members do not rotate about their respective axes simultaneously. Amended claim 1 affirmatively recites such features.

Independent claim 28 recites features similar to those described above with respect to claim 1. Claim 28 is distinguishable from Hiroyasu for at least reasons similar to those discussed above with respect to claim 1.

Claims 4-13, 15-20, 22-27, and 32 are distinguishable from Hiroyasu for at least the same reasons as discussed above with respect to claims 1 and 28.

Rejections Under 35 U.S.C. § 103

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hiroyasu (in view of Official Notice and WO 03/075475, hereinafter Jung). Applicants traverse.

Notwithstanding whether a combination of Official Notice and/or Jung with Hiroyasu would have been proper, the taking of Official Notice and Jung both fail to cure the deficiencies of Hiroyasu described above with respect to claim 1. Claim 14 depends from claim 1, and is distinguishable from the applied art for at least the same reasons as discussed above with respect to claim 1.

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
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